There Is No Appeal From His Decision in the Hammerstein Case on the Civil Side and Under It Six Days Make a Week for Theatres and Coney Shows

A decision rendered yesterday by Justice O'Gorman of the Supreme Court, from which there is no direct appeal, threatens to close every theatre and other place of public amusement and entertainment in the city on Sunday.

It is likely that many of the theatrical managers who have been giving Sunday concerts will continue them unless the police directly interfere. It was said at several of the theatres last night that the Sunday shows would go on until the Police Commissioner issued an order forbidding them or sent policemen to stop the per formances.

There will be a conference held this morning of the promoters of the Sunday opera concerts to decide what to do. Oscar Hammerstein of the Manhattan Opera House, Walter Damrosch and a representative from the Metropolitan Opera Company will get together and probably decide to ask for an injunction restraining the police from interfering with the operation concerts on the ground that they do not come within the prohibition of the law.

Teddy Marks, who gives a Sunday night concert at the American Theatre, said that he will turn over some of the proceeds to some charity and thereby avoid violating the law. There will be a special performance next Sunday night at the Hippodrome for the Benefit of the Theatrical Mechanics' Association, unless the police interfere. Coney Island does not have to decide just yet what to do.

Justice D'Gorman's decision was rendered

on the application pending before him for the confirmation of the report made by Abraham R. Lawrence as referee, recommending that the license of William Hammenstein as proprietor and manager of the Victoria Theatre be revoked, because of Sunday performances given in December last. The agitation against Sunday performances was begun by a number of clergymen who laid charges before Police Commissioner Bingham. On these charges the proceedings against Hammerstein were instituted as a test case to determine the validity of the law against Sunday per-

Ex-Justice Lawrence found that five of the acts rendered in the Victoria on a Sunday were violations of the law, but that the others, including the singing of Maggie Cline and some other singing and monologue or dialogue performances, were not violations and might be classed as part of a legitimate Sunday "sacred concert," even though Maggie did sing "T'row Him Down, McCluskey.

Justice O'Gorman goes much further and says that under the law as it stands no performance of any kind is permissible in a theatre on Sunday, and that the production of any such performance is punishable by loss of license and by criminal proceedings against the proprietor. He remarks that "the law is plain, and there can be no excuse for laxity in its observance or enforcement.

The theatrical managers had hoped to get a decision which would approve or and the Court was asked, as the suit against Hammerstein was admittedly brought for test purposes, to uphold the report of Mr. Lawrence except in so far as he recommended that the license be revoked. The managers have always said that if the theatres were all closed they would be satisfied, but that they objected to one place remaining open while others were closed. They will now have an opportunity of eir satisfaction, as Commissioner Bingham said that he would enforce strictly the Court's decision, what-

ever it might be.

Justice O'Gorman quotes the law in the case and says that it is sweeping and cannot be strained so as to permit any manner of public performance on Sunday in any place. To strain the law to permit certain performances and prohibit others would, he says, entirely defeat the plain purpose of the law's epactment. He adds:

"The law is well established in the State of New York that the Christian Sabbath is one of the civil institutions of the State, and that for the purpose of protecting the moral and physical well being of the records. not be strained so as to permit any manner

moral and physical well being of the people and preserving the peace, quiet and good order of society, the Legislature has authority to regulate its observance and prevent its desecration by appropriate

legislation."
Under the decision the Police Commissioner must now revoke the Victoria Theatre's license, and the Corporation Theatre's license, and the Corporation Counsel must proceed against Hammerstein, since it is expressly provided by the Charter, Section 1481, that any violator of the law shall be guilty of a misdemeanor, and in addition to the punishment therefor shall be subject to a penalty of \$500, which the Corporation Counsel is entitled to sue for and recover. The District Attorney may proceed against Hammerstein criminally, in which event an appeal to determine the correctness of Justice O'Gorman's interpretation of the law may result from the criminal proceedings. It is specifically provided in the laws relating from the criminal proceedings. It is specifically provided in the laws relating specifically provided in the laws relating to theatrical licenses that there shall be no appeal from the decision of a Justice of the Supreme Court if he decides that the license should be revoked. Still, another man with another license could get a similar case before another Judge. Commissioner Bingham ordered a centified copy of the opinion as soon as he heard

about it and announced that he would act as soon as he had read it. Secretary Slattery said. "It looks as if all the amusement places will have to shut up Sundays. Oscar Hammerstein himself came down to see the Commissioner with his lawyers, Vorhaus and Grossman. Mr. Vorhaus said he had not made up his mind yet what to do, even as to an appeal. "I can only say that this opinion logically means that on Sunday

the opera houses, Coney Island, Carnegie Hall and all kindred entertainments must be closed, as well as the vaudeville houses."

was his comment.

Definite action against Sunday concerts
was promised by Mayor McClellan as soon
as this decision should be handed down.

TO OVERTHROW DICKINSON. Plan of Some Hudson County Republicans

to Get a New Leader.

Primaries for the election of 229 members

of the Hudson county Republican committee will take place to-night between the hours of 7 and 9. The Faganite memhers withdrew from the committee last winter and have decided to ignore to-night's contests. It is well understood in the ranks of the regulars that an effort will be made by the friends of County Clerk John Rotherham in the new committee to oust Col. Samuel D. Dickinson from the eadership and install the County Clerk.

Rotherham has always been one of Dickinson's warmest supporters. The executive committee of the county committee recently laid the groundwork of a plan to take the leadership of the Hoboken organization from William Verdon, one of Rotherham's best friends, and give it to Dr. J. F. X. Stack. This action was taken while the County Clerk was away the county trip. There was trouble when Rotherham returned and he made an unsuccessful effort to patch things up. Rotherham's followers decided that he therham's followers decided that he i been slighted by the powers that be

now they are anxious to sidetrack Colonel and make Rotherham the leader Col. Dickinson is off on a pleasure trip.

JURY SAYS LAWYER IS MAD ROBBED OF HER SORE THROAT After Hearing Him Argue His Own Case

and Relate His History. Severin De Angelis, who has been in trouble since he tried to prevent the marriage of Elizabeth Henry to Walter L. Messer tried to convince a jury in Judge Rosalsky's court in General Sessions yesterday that he was sane enough to advise with his counsel and that he ought to be tried for shooting Messer. De Angelis, who is a lawyer but who has never practised, took charge of the case himself, astonishing a crowded court room with his memory for dates and his facility of expression He is a brother of Supreme Court Justice De Angelis of Oneida county.

Dr. M. S. Gregory and Dr. Charles W. Holmes testified that they were convinced that he was a paranoiac. De Angelia called Dr. Gregory dishonest and told Dr. Holmes that he had softening of the brain. De Angelis took the witness stand and testified that his mother suffered from melancholia and that she had a very bad temper. But he wasn't insane and never had been insane, unless it was on the night he shot Messer. Then he had great cause. "But you had delusions of persecution," said Mr. Jerome.

"But you had delusions of persecution," said Mr. Jerome.

"I had not," said De Angelis. "I had no delusions. I had facts. I had an unfortunate love affair. On July 7, 1693. I was sent to the asylum at Utioa and escaped. Two years ago the woman with whom I had been in love committed suicide by taking morphine on Christmas night."

He was caught and sent back to the He was caught and sent back to the Utica asylum. He was transferred to the Matteawan asylum illegally, he said, but Matteawan asylum illegally, he said, but got out of there and came to this city four

years ago.

"I don't care if I'm sent to prison for ten years," said Messer. "I don't want to go back to Matteawan. I saw a man in the Tombs who was in the asylum ten years ago when I was there. Now he is waiting to be tried and he is innocent." o be tried and he is innocent.

De Angelis charged the jury himself, waving aside his lawyer. The jury was out two hours and declared him insane. He said it was an unfair verdict and argued with Judge Rosalsky about it. He also asked to have the indictment dismissed. Judge Rosalsky said he would hear District Attorney Jerome on that this morning.

WAIL AT VERDICT "GUILTY." Friends at the Trial of Merchan

Indicted for a Crooked Failure. An unusual scene followed the conviction in General Sessions last night of Nathan Schlessel, who was a cloakmaker in Greene street in 1903 when he failed for more than \$200,000. Schlessel's relatives and friends. about 200 men, women and children-but mostly women-had been waiting around the Criminal Courts Building all day for the verdict.

It was 10 o'clock last night when the jury which had been out eleven hours, returned The women and children had had their meals in the corridors. All of them were nervous and excited. As many as possible were kept out of the court room when the

When they heard the verdict there was great wailing and weeping. Threats were made against those in charge of the prosecution, but there was no open demon-stration. Judge Foster thought it best, however, to wait until the corridors had been cleared before he left the court room to go to his chambers. Several women who were hysterical were helped from the

building by their relatives. Schlessel was convicted of unlawful conveyance of property, which is a misdemeanor. The complaint against him was made by William Openhym & Sons, general merchants, who charged that he transferred just before he failed a check for \$20,000 to his brother Nathan. The case has been through the bankruptcy courts, and since his failure Schlessel has been manager for the Schlessel Cloak and Suit Company in Washington place. Schlessel was prosecuted by Assistant District Attorney Train, aided by the Merchants Association. He was defended by Abe Levy and an appeal will be taken.

SKILLMAN JURY OUT. Long Deliberation Over the Alleged Forgery of Lanchart's Will.

Somerville, N. J., Dec. 3,-The cas William H. Skillman, the aged horticulturist and former president of the New Jersey Horticultural Society who has been on trial in the Somerset Court for seven days on a charge of forging the will of his days on a charge of forging the will of his old friend and neighbor, the late William Lanchart, for the purpose of obtaining half of Lanchart's rich estate, went to the jury at 3:30 o'clock this afternoon and the jurors are still deliberating at a late hour

Judge Booream's charge to the jury was displeasing to the lawyers for the defence. The Judge charged the jury to consider with great caution the declarations made nie Opdycke and Charles Duffield the new witnesses for the defense, who testified that Lanebart shortly before his death had told them of his high esteem for skillman and expressed his intention to eave him a large share of his property The Court held that while this testimony was competent declarations made by a witness of something said to him by a erson now dead was evidence that the

ate was now powerless to refute.

The court called the attention of the jury Jennie Opdycke's ability to give on direct examination verbatim the conversa-tion Lanehart had with her two years ago and to repeat this extended conversation again on cross-examination without the variation of a single word, although the witness, according to her own testimony. bad never mentioned the conversation she had with Lanehart to anybody until she told it to Skillman last summer.

There is a prevailing opinion that the jury will disagree and that the State's case has been greatly damaged by the evidence of Jennie Opdycke.

THIEVES LOCK UP CONSTABLE. Post Office Robbers at Garden City Make Persuasive Use of Firearms.

Constable Peter Navil of Garden City thought he saw a light in the post office building about 2 o'clock yesterday morning so he went down the street to investigate. Just as he reached the door three men stepped out of the doorway and covered him with revolvers.

"Now no noise, remember," said one of the trio as he jiggled the muzzle of his revolver under the constable's chin. Constable Navil agreed with him that there would be no noise. Then as he waited in the company of the men he heard a muf-fled explosion from within. A fourth man came out almost immediately with a

sack bulging at the bottom.

One of the robbers put his hand in the constable's side pocket and found a bunch of keys. Then they took him around to the firemen's ball, a few steps away, and unlocked the door with one of the keys

they had selected.

"Now run inside, little man," said the polite spokesman of the crowd, "and if you poke your head out for half an hour we'll have to blow your hair off."

Constable Navil went inside. He had a revolver in a pocket which the robbers

revolver in a pocket which the robbers had not discovered, but when they locked the door he did not know exactly how he was going to use it. Finally he managed to climb out of a window and give the alarm. It was too late to do anything. Yesterday morning when Sheriff Gildersleeve made an investigation he found some insurance papers belonging to the postmistress, about a mile down the road. some insurance papers belonging to the postmistress, about a mile down the road. but that was the only trace the robber They got away with about \$800 in

Suicide Puts His Head in Gas Furnace Thomas Walker superintendent of the Crest Manufacturing Company's lace cur-tain and handkerchief plant in Cambridge tain and handkerchief plant in Cambridge avenue, Jersey City, committed suicide in his office yesterday morning by putting his head inside a gas furnace and inhaling the gas. He had carefully covered the furnace with his overcoat as an aid to suffocation. Walker was 45 years old. He lived at 92 Charles street. He had been drinking heavily of late.

cash and stamps.

UNFEELING PRESS AGENT WRONGS MISS CECILIA LOFTUS

and Seeks to Present Her Cherished Malad to Her Co-Star D'Orsay-Latter Re fuses to Take It and the Press Agent in Haste Discovers Scenery Missing

Mary C. Loftus, an attractive young nvalescent who lives in well furnished apartments at 135 West Eleventh street with nothing to protect her except an undecided burglar alarm and the hired girl underwent a severe robbery yesterday while seated in a green velour Morris chair idly braiding some stray strands of a Welsh rabbit. Miss Loftus, who often used to do odd jobs in vodeville under the name of Cissie Loftus, but who as Cecilia Loftus has secured steady work of late in the legit, is said to have been unarmed at the time the robbery took place. Also, to make matters worse, the burglar alarm was out of order and the hired help was out.

Disguised as a theatrical producer, a man named Lee Shubert gained entrance Mary Cecilia's apartments yesterday deftly ringing the front doorbell. Although the button, which when pressed causes the bell to ring, is at the front of the building, the bell itself is inside the house and at the extreme rear just above a cluster of stationary washtubs. Furthermore the bell is partly covered by a framed motto, and some of the strands of worste with which the motto is worked had unravelled and rested upon the bell, thus tending to deaden the sound even more. This partly explains why the ringing of the doorbell failed to attract the attention of Policeman Horatio Hennessey of the Macdougal street station, who didn't hap-pen to be patrolling his beat at the time anyway. Besides, it was said at the Mac-dougal street station yesterday that there is no such policeman as Horatio Hennessey

Mary Cecilia was unarmed, that the burglar alarm and the maid were out and that even if there had been such a man as Policeman Hennessey he was not patrolling his beat—all these circumstances may or may not have been known to Shubert when he got into the apartment. The man named Shubert was accompanied by younger man unknown to the police in fact the police haven't heard of the robbery at all so far—who nominally is a press agent, but years ago began to steal diamonds and things from his stars all along the one night stands. "Clss Missie," began Shubert, who evidently felt ill at ease; and then pulled him-self together and took a fresh start. "Miss

known to the captain

"Miss Cecilia, if you please," corrected Mary, and flung the braided strands of the Welsh rabbit indignantly into her work

Well, one word led to another, but finally Shubert sidetracked the stormy scene that seemed inevitable after his thoughtless break by speaking to Miss Mary Cecilia about work that will enable her to support herself and two young helpless hired help throughout the winter. Then Shubert and the unknown young man who had gained entrance to the place with him

The excent of the robbery never dawned upon Miss Loftus until hours after the man known as Shubert and his companion had left. If the press agent had merely taken her diamonds or other jeweiry Mary says she wouldn't have cared, because all that is in the regular game. But when she learned from an evening paper that Shubert had taken her sore throat she was

'It was my sore throat," exclaimed Mary Cecilia last night, when a reporter stumbled pon the story of the robbery quite by chance. "Ah, I did not think they would be so crue!" And giving an imitation of Whistler's famous picture "A Young Lady With a Grouch," Miss Loftus told the story

It seems that when Miss Loftus's houseboat, the Iva L, sank in a lot of water at Larchmont recently with all on board, the actress while awimming ashore got wet feet. A hesitant sore throat was the result, and the cold finally mustered up nerve enough seriously to attack Mary Cecilia's speaking voice. Hence the postponement of the New York opening of the production in which Miss Cecilia and Lawrance D'Orsay are to be joint stars. Now Mary's voice is again fine and fit, but to be sure that she be quite well another postponement had to be announced in the

But straightway the boss of the show decided that it would be better to tell the papers that Lawrance had the sore throat than that Mary owned it, because he figured that prospective buyers of orchestra seats would reason that a man would get well quicker than a woman. So the press agent was sent out to fool a trusting and innocent

He gotaway with it in only one paper when up rose lawrance and protested indignantly in English. Lawrance began to insist that, my word, he had no sore throat. Shubert insisted just as hard that he should take Mary's sore throat for his very own and no questions asked. And in the meantime the press agent, on his own hook, decided that the cause of the halt in the opening of the performance was due to some scenery being delayed in the freight yard at Shutters Corners or some place. If you look it up in some of the papers to-day no doubt in some of the papers to-day no doubt you'll learn all about the delayed scenery. The pressagent had even learned last night the name of the waybill clerk who had caused the delay. The pressagent says he'd have him discharged only that the poor young clerk is trying to work his way through a correspondence school on his

"If I were coughing as well to-day," gretted Mary Cecilia last evening, "as I have been up to this week you'd see for yourself that it's my throat that's sore, not Mr. D'Orsay's. Ahem! Ahem! No, I'm not coughing so well to day, unfortunately, but believe me or not it was the best, in fact the only, sore throat I've ever owned. don't wish to appear ungenerous, but let Mr. D'Orsay get his own sore throat. I sha'n't stand for anybody coming in here

Late in the evening Lee and Lawrance were arguing it out. Lee insisting that Law-rance take Mary's sore throat and Lawrance refusing it even as a gift. And when Lee turned in last night hestill had the sore throat on his hands. Perhaps when Lee learns on as ands, remaps when Lee learns from The Sux that the throat is really Mary Cecilia's he will send the press agent back with it to-day to the next apartments where Mary Cecilia idly passes the time braiding the strands of the Welsh rabbit into neckties and doilies and other little Christmas

WOMAN BEATEN AND ROBBED. Highwaymen Get 8617 Which She Was Afraid to Put Into a Bank.

STAMPORD, Conn., Dec 2 .- Mrs Anthony Ortenska of this city was beaten, bound jewe!ry late last night and was thrown unconscious into a clump of bushes in Leddin Rock Park

Regaining consciousness she managed o work herself free from the cords with which she was bound and crawled two miles which she was bound and crawled two miles to her daughter's home. The police have arrested Waddelkioff Pohoski, a Polish laborer, on suspicion. Mrs Ortenska positively identifies him as of the robbers.

one of the robbers.

Mrs. Ortenska is a midwife and is about 50 years old. She feared to deposit her money in a bank, so she kept it on her person. She intended to pay off a mortgage with it next Monday.

About 9 o'clock last evening a man and a heavily veiled person whom Mrs. Ortenska

to go to the woman's sister saying she was il.

She accompanied the couple, who led She accompanied the couple, who led her to Laddin Rock, a private park owned by William I. Marks. In the woodland they were confronted by three other men and all of the party set upon Mrs. Ortenska. They choked her into insensibility tied her shaw! tightly over her head and face and bound her feet together. Then they tore off her skirt and took the cloth bag which contained her jewelry and money.

Robbed at the Prince George Hotel.

Paul Weisberg, a waiter at the Prince George Hotel.

Paul Weisberg, a waiter at the Prince George Hotel.

Coorge Hotel.

Paul Weisberg a waiter at the Prince George Hotel.

Paul Weisberg a waiter at the Prince George Hotel.

Coorge Hotel.

Paul Weisberg a waiter at the Prince George Hotel.

Coorge Hotel, was arrested yesterday, charged with stealing a diamond ring and bar pin worth \$1,000, two railroad tickets to Chicago and \$120 in cash from the apartment of Mary A. Cashot. The stolen articles were found in Weisberg's possession.

MRS. BRADLEY ACQUITTED.

Jury, After All Night Session, Frees Her of Charge of Murdering Arthur Brown. WASHINGTON, Dec. 3 .- Mrs. Anna M. Bradley was declared not guilty at 10:10 o'clock this morning by the jury which tried her on the charge of murdering Arthur Brown, a former Senator of Utah. The verdict came like a shock to the defendant. She sat dazed for a few minutes, then

dropped her face in her hands and wept. The jury had been out all night. Eleven were for acquittal almost from the start. One juror stood out for a verdiet of manslaughter. After the verdict was announced the Court ordered that Mrs. Bradley be discharged. The jurys were thanked by Judge Stafford and dismissed. As they

Judge Stafford and diamissed. As they hurriedly started from the room Mrs. Bradley, who had been weeping, cried out to her attorney, George Hoover:

"Oh, let me thank those men! Stop them while I' thank them!" But there was no opportunity The jurors, worn out with nearly four weeks of service, were eager for their liberty and were gone before Mrs. Bradley could tell them of her gratitude. Arthur D. Hayes, Solicitor of Internal Revenue, a former citizen of Ogden, Utah, and Mrs. Hayes took Mrs. Bradley to their home, where she will stay until she is able and Mrs. Hayes took Mrs. Bradley to their home, where she will stay until she is able to return to Salt Lake. On the way out of court Mr. and Mrs. Hayes and Mrs. Bradley were joined by the boy, Arthur Brown, whom they found in a room below seated at a typewriter writing a letter to his mother. The younger boy is still very ill at a Washington boarding house. A suit has already been brought there to break the will of Arthur Brown with a view of securing half of the estate for the Bradley boys. The estate is valued at about \$100,000.

TRIAL FOR ATTEMPTED MURDER. Italian Accused of Hiring a Man to Kill Luigi Favata.

Pietro Giannone was put on trial yester day before Judge Foster of Ceneral Sessions on the unusual charge of attempted murder in the first degree. Giannone tried to kill Luigi Favata a well to do photographer of Mulberry street, in the hope of marrying Mrs. Favata and going back to Italy with the money she would get through her husband a death.

The principal witness against Giannons esterday was Bruno Cardea, who was convicted of stabbing Favata. Cardea has served nine months of the sentence of five years he got for this offence, and he is not friendly to Giannone. He swears that Gannone put him up to do the job.

Cardea, who was questioned by Assistant District Attorney Train, said that he had known Favata and Giannone for some time. One day last December Giannone met him and two friends and said that he wanted Favata put out of the way. He was in love with Mrs. Favata, he told Cardea, and if he could have Favata ki'led he would take her to Italy and marry her.

Cardea said he listened to the proposition, but didn't think very much of it. Giannone explained that Favata and his wife were to call at his house on the night of December 30. They would leave his house at a certain time and Cardea could meet them at Henry and Oliver streets. Glannone gave him a long knife, adding Cardea said that the point of the blade was poisoned, which is nctimes an Ita'ian fiction

"I was drunk and said I wouldn't do it." said Cardea through an interpreter. "But he said he would pay me \$1,300. If I was arrested, he said, he would bail me out and I could go to Italy. I and my two friends met Favata and I stabbed him, and then I was arrested."

Cardea didn't get much help from Giantone According to the avidence which the

none. According to the evidence which the District Attorney hopes to get in Giannone went to Mrs. Favata after her husband had been stabbed and gave her five grains of morphine and ten grains of corrosive subli-mate to give her husband. He told her that se loved her very much, that he wanted to marry her, and that when her husband was lead they could sell his property and go to Italy, where they would have an easy time

All through his trial Cardea denied that he had stabbed Favata. But when he got to Sing Sing he told Detective Russo of the District Attorney's office that he was willing to tell the truth in order to get revenge on Giannone, who had deserted him when he

ms in trouble.

Mrs. Favata, who didn't give her husband the poison, will be a witness against Gian-

SUICIDE ON THE CONNECTICUT. Gunner's Mate Kills Himself on Flagship

-Minnesota Docked at Night. Gunner's mate H. N. Piro committed suicide by shooting himself in the forehead on the after compartment of the gun deck on the battleship Connecticut at the navy yard in Brooklyn early yesterday morning. Piro, who was a native of Russian Finland. was 38 years old and had served three enlistments in the United States Navy. was of temperate habits and was well

thought of by his superiors.

A few days ago Piro received a letter from Russia and his "bunkie" said that it had contained bad news and that Piro had been despondent since receiving it. had rolled himself in two blankets and while he had the blankets over his head he fired the shot. The muffled sound was heard by the captain's orderly, who found the body. Dr. McDonald, the sup's surgeon, said that death had been instantaneous. A board of inquest will be held on the vessel this morn-

The body was taken to the Naval Hospital and will have a sailor's funeral. So far as is known Piro had no relatives in this

The battleship Minnesota was placed in dry dock No. 2 at the Brooklyn Navy Yard early yesterday morning, a searchlight be-ing used to illuminate the dock. The ex-periment proved successful and search-lights will be employed in future dockings

at the yard at night.

It is expected that 1,000 more employees at the Brooklyn Navy Yard will be laid off before the end of the week. On Saturday before the end of the week.

more than 700 men were discharged from the
department of construction and repair.

department of their pay to-day. With the They will get their pay to-day. With the departure of the fleet for the Pacific the navy yard force of employees will be re-

duced to its normal basis. E. D. Lewis, the negro coal passer on the battleship Rhode Island, who a month ago killed one man and injured three others during a quarrel on the vessel and who was tried by court-martial last week at the Brooklyn Navy Yard, has been sentenced to ten years' imprisonment in the penitentiary at Wethersfield, Conn. Hitherto the naval authorities have turned over such offenders to the civil authorities, and this is said to be the first time in the history of the navy that a court-martial has tried and

BLOCKED AT THE RUSH HOUR. and robbed of \$617 and seven pieces of Trolley and Elevated Mishaps Keep Brooklyn From Its Dinner.

Two blocks on the Brooklyn Bridge during the rush hour last night caused thousands of homeward bound Brooklynites a lot of inconvenience. A shuttle train was coming into the Manhattan end when a drawhead on one of the cars fell out and the train came to a stop where the tracks intersect. It was nine minutes before a train could pull out.

The platforms became to crowded that Police Captain Murtha had the gates closed and would allow no more people to squeeze through. Ten minutes after the block was raised a coupling on another shuttle train snapped and this caused a five minute de-lay. At about the same time a trolley on Loop No. 1 blew out a fuse and this caused

TIFFANY & Co.

Suggestions for Christmas Gifts

The Holiday stock in every department is now unusually complete. In addition to the conventional styles of jewelry, silverware and watches, the department of unmounted stones offers unlimited opportunities for individual taste in selections for mounting and in the choice of pearls for necklaces. There is also a varied collection of tourmaline, amethyst, topaz, kunzite, coral and jade beads and richly carved objects of rock crystal, lapis-lazuli and nephrite. The Fancy Goods stock comprises many styles of gold and silver mesh bags, plain and mounted with precious stones; rich fans of Point d'Angleterre, d'Alençon, Burano and Venetian laces, antique fans of Louis XV and XVI periods, rare Vernis Martin, Houghton and Maurice Leloir painted fans; toilet articles in silver, shell and ivory; jeweled parasols, umbrellas and canes; leather goods, including every requisite for traveling, motoring and shopping. For the cabinet are rich pieces of bric-a-brac, miniatures by Patout, Paillet, Soyer, Mollica; enameled cigarette and vanity boxes set with precious stones; plaques and jewel caskets; reproductions in silver of rare antique vases and coupes; plain and gilded French silverware of the Empire style; game boxes, smokers' articles, desk fittings, opera glasses, lorgnons; a great variety of Dutch silver, unique hors d'oeuvre and bon bon dishes of silver and glass, English automobile baskets with all fittings. The Bronze Department presents a great variety of statuettes from France, Germany and Austria, by Gérôme, Bareau, Barrias, Moreau and others; also an extensive line of busts of Washington, Lincoln, Beethoven, Mozart, Wagner; animals by Barye, Bonheur, Peyrol, Proctor, Remington; hall clocks in various woods to correspond with house decorations; clock sets of bronze and marble, regulators with gilt and glass cases, automobile, ship's bells and traveling clocks; Tiffany bronze lamps, for oil and electricity, with Favrile and leaded glass shades. In the Pottery or Glass Department are the finest products of the noted English Potteries: Minton, Copeland, Doulton, Crown Derby; also unique and artistic effects in Moorcroft Luster pottery, Lancastrian and Ruskin wares, remarkable Doulton crystalline glazes, authentic Royal Copenhagen signed pieces, rare National Sevres vases; Tiffany Favrile glass and other American products from the Grueby, Robineau, Rookwood and Trenton potteries; also English glass vases, bowls and table sets in cut and rock crystal effects

Fifth Avenue and Thirty-Seventh Street

B. R. T. FINANCES ALL RIGHT

IN DEVELOPMENT COMPANY.

Tells the Public Service Board That the System Would Appear to Be a Benefit -Some Profit, Col. Williams Admits. in Filling In Harway Company's Land.

So far as the financial side of the administration of the affairs of the Brooklyn Rapid Transit Company is concerned the company is likely to get a clean bill of health the report William M. Ivins will make at the close of the investigation the Public Service Commission is making. At yesterday's session of the inquiry the relation of the Transit Development Company to the Brooklyn Rapid Transit Company

Vice-President Williams of the B. R. T. replying to Mr. Ivins, readily admitted that there was a general opinion that the development company, which furnishes the power to all the companies comprised in the B. R. T. in addition to maintaining the car barns and repair shops, was made up the profits of the development company

went to those few individuals. "But actually," Mr. Williams testified, not a dollar of the capital stock of the Transit Development Company has at any time been owned by others than the Brooklyn Rapid Transit Company, except a few shares qualifying directors, on which the B. R. T. company has an option. At no time has any individual officer or director received any benefit whatever by reason of the formation or operations of the Transit

Development Company."

Col. Williams said that in supplying power and doing repairs only the actual cost was charged plus a profit of 5 per cent., which found its way back to the B. R. T. After going through ledgers and docu-ments submitted by Mr. Williams. Mr. Ivins said, "I have looked into this matter very carefully and I find in it absolutely no resemblance to the sort of business that was conducted by the old Metropolitan Traction Company, and it would appear to be a distinct benefit to the system unless it were discovered (which we have been unable to investigate yet) that the Development company purchases the supplies which it furnishes to the other companies from favored contractors, but we have no reason

for supposing that such is the case. Ivins at an earlier session complimented the B. R. T. on its bookkeeping methods. Mr. Ivins touched on the matter of the con-tract held by the B. R. T. for the carrying away of ashes and garbage. Mr. Williams asid that the company was losing money on the contract, but when Mr. Ivins sought to find out if it was not true that large the contract, but when Mr. Ivins sought to find out if it was not true that large profits were being made on the land filled in by the ashea the witness asserted that he was not familiar with that part of the company's business. He did admit that the Harway Improvement Company, \$75,300 of the capital stock of which was owned by the B. R. T., had made large profits by reason of the filling in of the land it had at Harway. Mr. Williams stated that that land instead of being worth \$200 an acre, the price at which it was bought, was now worth several thousand dollars an acre.

BARRED BECAUSE OF COLOR.

Ecuadorian Merchant's Sons Not Admitted to Pennsylvania Prep. School.

WILKESBARRE, Pa., Dec. 3.-Owing to their color, which is almost as dark as that of a negro, two boys from Eucador have been barred by Hillman Academy, a preparatory school of this city, where they were sent to prepare for college. They are Juan and Mateo Costa and their

father is a prosperous merchant of Guayaquil. The boys were sent here because their father knows Prof. Robert L. Litch of the faculty. When they arrived and it was seen how dark they are there was a serious discussion of the faculty members and it was decided to refuse them admission, owing to fear that other students at the academy might object.

Prof. Litch tried to get them into the public schools here, but says he could not, and the youngsters are now waiting to hear from their father and are much embar-

IVINS FINDS NOTHING WRONG The Imperial Persian Commissioner H. H. TOPAKYAN

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of insiders of the B. R. T. system and that TO-DAY, WEDNESDAY, DECEMBER 4, AT 2:30 P. M. SHARP And will continue daily at the same hour until the enormous stock of ANTIQUE, ODD and BEAUTIFUL masterpieces from the ORIENT

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Court Calendars This Day Supreme Court Appellate Division Nos. 10, 25, 26, 27, 28, 21, 1, 29, 31, 32, 33, 34, 36, 37, 38,

Supreme Court—Appellate Division—Nos. 17.

10. 25, 26, 77, 28, 21, 1, 29, 31, 32, 33, 34, 36, 37, 38.

Supreme Court—Appellate Term.—Appellate From Municipal Court. Nos. 90, 92, 95, 166, 112, 116, 118, 127, 136, 143, 145, 147.

Supreme Court—Special Term.—Part II.—Motion calender called at 10:30 A. M. Part II.—Ex parte matters. Part III.—Clear. Motions. Preferred causes—Nos. 8048, 5412, 5490, 5503, 5098, 8099, 7135, General calendar—Nos. 6933, 3508, 4821, 6577, 1011, 6925, 9574, 5989, 4156, 5333, 6719, 5578, 5913, 5673, 5681, 6428. Divorce calendar called at 10:15 A. M. Part IV.—Case unfinished. Cases from Part III. Part V.—Case unfinished. Special Cases from Part III. Case unfinished. Special Cases from Part III.—Case unfinished. Part V.—Case unfinished. Part V.—Case unfinished. Part V.—Case unfinished. Part V.—Clear. Part VII.—Case unfinished. Part XII.—Case unfinished. Pa XVI. and XVII.

Surrogates' Court—Chambers,—For probate—Wilk of Matilda H. Douglass, Phebe Emrich, Emrna G. McKenzle, Campbell C. Fite, Ambrose W. Humphrey, Esther Felg, Caleb Lawrence, Charlotte Ostermann, Louisa Fuller, at 1030 A. M. William Newelly, James Winterhottom, Julis Edgar, Edward B. Coffin, Martha Stein, at 230 P. M. Trial Term—No. 2376, will of Alexander Fullando. No. 2386, will of Margaret Hardy. No. 2383, will of Mary Sheehan, at 1030 A. M.

City Court—Special Term.—Court opens at 10 A. M. Motions, Trial Term—Par I.—Case un-

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